

**EXHIBIT "A"**

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**UNITED STATES DISTRICT COURT**

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**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

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11 IN RE CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Case No. M08-1917 SC

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This Document Relates to:

**[PROPOSED] PRETRIAL ORDER  
NO. 1**

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On April 4, 2008, the Court conducted a status conference in this multidistrict litigation ("MDL") proceeding. After considering the materials submitted by the parties at the conference and good cause appearing, the Court hereby establishes the following pretrial procedures.

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**ESTABLISHMENT OF MASTER DOCKET AND FILE**

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1. The files of all direct purchaser actions and indirect purchaser actions shall be maintained in the master file, Case No. M08-1917 SC. Every pleading filed in direct purchaser actions and indirect purchaser actions shall bear the following caption:

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**[PROPOSED] PRETRIAL ORDER NO. 1**  
Case No. C08-1917 SC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

IN RE CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Case No. M08-1917 SC

This Document Relates to:

## ALL [DIRECT PURCHASER] [INDIRECT PURCHASER] ACTIONS

10        2. When a pleading or paper is intended to be applicable to all actions, the words "All  
11 Actions" shall appear immediately after the words "This Document Relates to:" in the caption  
12 above. When a pleading or paper is intended to be applicable only to all direct purchaser actions,  
13 the words "All Direct Purchaser Actions" shall appear in the caption. When a pleading or paper is  
14 intended to be applicable only to all indirect purchaser actions, the words "All Indirect Purchaser  
15 Actions" shall appear in the caption.

16       3.       When a pleading or paper is filed and states that it is applicable to "All Actions,"  
17       "All Direct Purchaser Actions," or "All Indirect Purchaser Actions," the Clerk shall file such  
18       pleading or paper in the master file and note such filing on the master docket.

19           4. All pleadings and papers shall be filed electronically in compliance with General  
20 Order No. 45.

## APPEARANCES

22 5. Counsel who have not yet entered an appearance shall electronically file a Notice  
23 of Appearance in the master docket. Counsel who appeared in a transferor court prior to their case  
24 being transferred to this Court need not enter an additional appearance before this Court.

25        6. Attorneys admitted to practice and in good standing in any United States District  
26 Court are admitted pro hac vice in this litigation. Pursuant to Rule 1.4 of the Rules of Procedure  
27 of the Judicial Panel on Multidistrict Litigation, association of local counsel is not required.

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## COMMUNICATION WITH THE COURT AND COUNSEL

2       7. Unless otherwise ordered by the Court, all substantive communications with the  
3 Court shall be in writing and e-filed.

4       8.     The Court recognizes that cooperation by and among plaintiffs' counsel and by and  
5 among defendants' counsel is essential for the orderly and expeditious resolution of this litigation.  
6 The communication of information among and between plaintiffs' counsel and among and  
7 between defendants' counsel shall not be deemed a waiver of the attorney-client privilege or the  
8 protection afforded attorney work product. Nothing contained in this provision shall be construed  
9 to limit the rights of any party or counsel to assert the attorney-client privilege or attorney work-  
10 product doctrine.

## **FILING AND SERVICE OF PAPERS AND PLEADINGS**

12 9. These cases are subject to Electronic Case Filing ("ECF"), pursuant to General  
13 Order 45, Section VI, which requires that all documents in such a case be filed electronically.  
14 General Order, Section IV(A) provides that "[e]ach attorney of record is obligated to become an  
15 ECF User and be assigned a user ID and password for access to the system upon designation of  
16 the action as being subject to ECF." If he or she has not already done so, counsel shall register  
17 forthwith as an ECF User and be issued an ECF User ID and password. Forms and instructions  
18 can be found on the Court's website at <https://ecf.cand.uscourts.gov/cand/index.html>. All  
19 documents shall be e-filed in the master file, Case No. M08-1917 SC.

10. Papers that are filed electronically through the Court's ECF system are deemed  
11 served on all parties as of the date of filing. All other service of papers shall be governed by the  
12 Federal Rules of Civil Procedure unless otherwise agreed by the parties.

## EVIDENCE PRESERVATION

24 11. All parties and their counsel are reminded of their duty to preserve evidence that  
25 may be relevant to this action. The duty extends to documents, data, and tangible things in the  
26 possession, custody, and control of the parties to this action, and any employees, agents,  
27 contractors, carriers, bailees, or other non-parties who possess materials reasonably anticipated to  
28 be subject to discovery in this action. "Documents, data, and tangible things" shall be interpreted

1 broadly to include writings, records, files, correspondence, reports, memoranda, calendars, diaries,  
2 minutes, electronic messages, voicemail, e-mail, telephone message records or logs, computer and  
3 network activity logs, hard drives, backup data, removable computer storage media such as tapes,  
4 discs and cards, printouts, document image files, Web pages, databases, spreadsheets, software,  
5 books, ledgers, journals, orders, invoices, bills, vouchers, check statements, worksheets,  
6 summaries, compilations, computations, charts, diagrams, graphic presentations, drawings, films,  
7 charts, digital or chemical process photographs, video, phonographic, tape or digital recordings or  
8 transcripts thereof, drafts, jottings and notes, studies or drafts of studies or other similar such  
9 material. Information that serves to identify, locate, or link such material, such as file inventories,  
10 file folders, indices, and metadata, is also included in this definition. Until the parties reach an  
11 agreement on a preservation plan or the Court orders otherwise, each party shall take reasonable  
12 steps to preserve all documents, data, and tangible things containing information potentially  
13 relevant to the subject matter of this litigation. In addition, counsel shall exercise all reasonable  
14 efforts to identify and notify parties and non-parties of their duties, including employees of  
15 corporate or institutional parties, to the extent required by the Federal Rules of Civil Procedure.

#### **PROTECTIVE ORDER**

17       12. The parties shall meet and confer regarding a protective order for this proceeding.  
18 Within 30 days of the entry of an Order appointing interim lead class counsel, the parties shall  
19 present a stipulated protective order, or in the event a stipulation cannot be reached, their  
20 respective proposals.

#### **DISCLOSURES**

22       13. Within 30 days of the entry of this Order, the parties shall complete a Rule 26(f)  
23 conference and shall make initial disclosures within 14 days thereafter.

#### **ALTERNATIVE DISPUTE RESOLUTION**

25       14. Within 30 days of the entry of an Order appointing interim lead class counsel, the  
26 parties shall discuss the selection of an alternative dispute resolution process.

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## **FURTHER CASE MANAGEMENT CONFERENCE**

2       15. The Court shall conduct a Case Management Conference on \_\_\_\_\_,  
3 2008 at 10:00 a.m. The parties shall electronically file a Joint Case Management Statement ten  
4 court days prior thereto.

## APPLICABILITY OF ORDER

6       16. This Order shall apply to all actions subsequently filed in, or transferred to, this  
7 district that are related to this MDL proceeding. Any party objecting to the application of this  
8 Order to a subsequently filed or transferred case shall file a motion for relief supported by good  
9 cause within 30 days of the case being added to the master docket.

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Dated: \_\_\_\_\_

Honorable Samuel Conti  
UNITED STATES DISTRICT COURT

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